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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	2:15-CR-003-KJD-(PAL)
)	
Plaintiff,)	
)	
v.)	Preliminary Order of Forfeiture
)	
GINO BRIAN CICOTTI,)	
)	
Defendant.)	

This Court finds that defendant Gino Brian Cicotti pled guilty to Count One of a One-Count Criminal Indictment charging him with Receipt or Distribution of Child Pornography in violation of Title 18, United States Code, Section 2252A(a)(2)(B). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant Gino Brian Cicotti agreed to the forfeiture of the property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and the offense to which defendant Gino Brian Cicotti pled guilty.

The following property is (1) any visual depiction described in Title 18, United States Code, Section 2252A, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received

1 in violation of Title 18, United States Code, Section 2252A(a)(2)(B) and (2) any property, real or
2 personal, used or intended to be used to commit or to promote the commission of Title 18,
3 United States Code, Section 2252A(a)(2)(B) or any property traceable to such property, and is
4 subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

- 5 1. Black Sagitta computer tower, serial number unknown;
- 6 2. Western Digital WD1002FAEX 1TB hard drive, serial number
7 WCATR9398388;
- 8 3. Hitachi HDS7211050CLA362 500GB SATA hard drive, serial number
9 HN0LGMXA; and
- 10 4. Western Digital WD1600AAJS 160GB SATA hard drive, serial number
11 WCAT20633896

12 (all of which constitutes property).

13 This Court finds the United States of America is now entitled to, and should, reduce the
14 aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
16 the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
18 of Gino Brian Cicotti in the aforementioned property is forfeited and is vested in the United
19 States of America and shall be safely held by the United States of America until further order of
20 the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
22 America shall publish for at least thirty (30) consecutive days on the official internet government
23 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
24 property, state the time under the applicable statute when a petition contesting the forfeiture must
25 be filed, and state the name and contact information for the government attorney to be served

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1 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States
2 Code, Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
4 entity who claims an interest in the aforementioned property must file a petition for a hearing to
5 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
6 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
7 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
8 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
9 facts supporting the petitioner's petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
11 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
12 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
13 sixty (60) days after the first day of the publication on the official internet government forfeiture
14 site, www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
16 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
17 the following address at the time of filing:

18 Michael A. Humphreys
19 Assistant United States Attorney
20 Daniel D. Hollingsworth
21 Assistant United States Attorney
22 501 Las Vegas Boulevard South, Suite 1100
23 Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
25 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
26 agency following publication of notice of seizure and intent to administratively forfeit the above-
described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
2 of this Order to all counsel of record.

3 DATED this 5th day of July, 2017.

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6 UNITED STATES DISTRICT JUDGE
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